

MHAH200018862022

[Mohammad Abbas Vs. State]



ORDER BELOW EXHIBIT NO.1.

1] This is an application filed for interim custody of Splendor motorcycle bearing registration number MH-16-BN-4043, Chassis No.HA10ERFHG07153, Engine No. MBLHA10BFFHG06104 make by Hero Motocorp Ltd., seized by Pathardi Police Station, Pathardi in connection with C.R. 870/2022.

2] Perused the application and Say filed by Learned A.P.P. However, application is proceeded without say of I.O. The application is supported by affidavit of the applicant at Exh.05. The Learned A.P.P. has opposed the application mainly on the ground that it is important part of evidence. Heard both the sides.

3] The applicant has produced on record verified photo copy of registration certificate of vehicle. It reveals that the applicant is entitled for the custody of seized vehicle. It is obvious that the vehicle will get damaged and would become junk day by day if kept idle. The applicant is ready to abide with the conditions imposed by the court. Therefore, as no one other than the applicant has claimed the possession of the said vehicle, it would be just and proper to hand over its custody to the applicant. In the result I passed the following order.

ORDER

1. Application is hereby allowed.
2. The seized Splendor motorcycle bearing registration number MH-16-BN-4043, Chassis No.HA10ERFHG07153, Engine No. MBLHA10BFFHG06104 make Hero Motors be handed over to the applicant **Mahammad Abbas Shaikh** till the conclusion of trial on executing bond Rs.80,000/- (Rupees Eighty Thousand Only) on following conditions :-
 - i] The applicant shall not alienate, change or transfer the seized vehicle without prior permission of the Court.
 - ii] The applicant shall maintain and preserve the seized vehicle in all respects.
 - iii] The applicant shall produce the seized vehicle in the Court as and when directed.
3. The Investigating Officer is directed to prepare panchanama of said vehicle and take photographs of said muddemal and file the same in court.
4. Inform the concern police station accordingly.

Place - Pathardi
Date : 17/10/2022

[V. I. Shaikh]
Judicial Magistrate F. C.,
(Court No.2), Pathardi.